

# HOUSE BILL 429

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By: **Delegate Oaks**

Introduced and read first time: January 29, 2010

Assigned to: Economic Matters

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## A BILL ENTITLED

1 AN ACT concerning

2 **Baltimore City – Alcoholic Beverages Establishments – Weekend Closing**  
3 **Hours**

4 FOR the purpose of extending the hours on certain days when alcoholic beverages may  
5 be sold for on–premises consumption in certain licensed establishments that  
6 have been issued certain permits or are in a certain area of Baltimore City;  
7 extending the hours on certain days when alcoholic beverages may be consumed  
8 on the premises of certain licensed establishments in a certain area of  
9 Baltimore City; and generally relating to the sale of alcoholic beverages in  
10 Baltimore City.

11 BY repealing and reenacting, without amendments,  
12 Article 2B – Alcoholic Beverages  
13 Section 8–203(a) and (d)(1) and 11–305(a)  
14 Annotated Code of Maryland  
15 (2005 Replacement Volume and 2009 Supplement)

16 BY repealing and reenacting, with amendments,  
17 Article 2B – Alcoholic Beverages  
18 Section 8–203(d)(3), 11–303(b), and 11–305(b)  
19 Annotated Code of Maryland  
20 (2005 Replacement Volume and 2009 Supplement)

21 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF  
22 MARYLAND, That the Laws of Maryland read as follows:

23 **Article 2B – Alcoholic Beverages**

24 8–203.

25 (a) The provisions of this section only apply in Baltimore City.

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (d) (1) There is a Class B–D–7 license.

2 (3) (I) [Licensees] **EXCEPT AS PROVIDED IN SUBPARAGRAPH**  
3 **(II) OF THIS PARAGRAPH, A LICENSEE** may sell all alcoholic beverages at retail at  
4 the place in the license described, for consumption on the premises and elsewhere,  
5 from 6 a.m. to 2 a.m. on the following day, 7 days per week.

6 (II) 1. **THIS SUBPARAGRAPH ONLY APPLIES TO A**  
7 **LICENSEE WHOSE ESTABLISHMENT HAS BEEN ISSUED AN ADULT**  
8 **ENTERTAINMENT PERMIT BY BALTIMORE CITY OR IS IN AN AREA BOUNDED:**

9 A. **ON THE NORTH BY EAST PLEASANT STREET,**  
10 **FROM NORTH CHARLES STREET TO THE FALLSWAY;**

11 B. **ON THE EAST BY THE FALLSWAY AND PRESIDENT**  
12 **STREET TO LANCASTER STREET;**

13 C. **ON THE WEST BY NORTH CHARLES STREET AND**  
14 **SOUTH CHARLES STREET; AND**

15 D. **ON THE SOUTH BY CROSS STREET, FROM SOUTH**  
16 **CHARLES STREET TO PIERSIDE DRIVE.**

17 2. **IN ADDITION TO THE HOURS OF SALE STATED IN**  
18 **SUBPARAGRAPH (I) OF THIS PARAGRAPH, ON FRIDAY, SATURDAY, AND SUNDAY,**  
19 **A LICENSEE FROM 2 A.M. TO 3 A.M. MAY SELL ALL ALCOHOLIC BEVERAGES AT**  
20 **RETAIL FOR CONSUMPTION ON THE PREMISES ONLY.**

21 11–303.

22 (b) (1) [The] **EXCEPT AS OTHERWISE PROVIDED IN THIS**  
23 **SUBSECTION, THE** hours during which the privileges conferred by a Class B beer,  
24 wine and liquor license may be exercised are from 6 a.m. to 2 a.m. on the following  
25 day.

26 (2) In Annapolis the hours shall be as fixed by the Mayor, Counselor,  
27 and Aldermen of the City of Annapolis.

28 (3) In Montgomery County, except as provided in § 11–516 of this  
29 article, the hours are from 9 a.m. on any day to 1 a.m. on the following day.

30 (4) In the 47th alcoholic beverages district in Baltimore City, the  
31 hours for off-sales under a Class B beer, wine and liquor license for use in a  
32 restaurant are as provided for in § 6–201(d) of this article.

1           **(5) (I) THIS PARAGRAPH ONLY APPLIES TO A LICENSEE WHOSE**  
2 **ESTABLISHMENT HAS BEEN ISSUED AN ADULT ENTERTAINMENT PERMIT BY**  
3 **BALTIMORE CITY OR IS IN AN AREA IN BALTIMORE CITY BOUNDED:**

4                   **1. ON THE NORTH BY EAST PLEASANT STREET,**  
5 **FROM NORTH CHARLES STREET TO THE FALLSWAY;**

6                   **2. ON THE EAST BY THE FALLSWAY AND PRESIDENT**  
7 **STREET TO LANCASTER STREET;**

8                   **3. ON THE WEST BY NORTH CHARLES STREET AND**  
9 **SOUTH CHARLES STREET; AND**

10                   **4. ON THE SOUTH BY CROSS STREET, FROM SOUTH**  
11 **CHARLES STREET TO PIERSIDE DRIVE.**

12                   **(II) IN ADDITION TO THE HOURS OF SALE STATED IN**  
13 **PARAGRAPH (1) OF THIS SUBSECTION, ON FRIDAY, SATURDAY, AND SUNDAY, A**  
14 **LICENSEE FROM 2 A.M. TO 3 A.M. MAY SELL ALL ALCOHOLIC BEVERAGES AT**  
15 **RETAIL FOR CONSUMPTION ON THE PREMISES ONLY.**

16 11-305.

17           (a) This section applies only in Baltimore City.

18           (b) (1) Except as otherwise provided by law or by regulation adopted  
19 under the authority of [paragraph (2)] **PARAGRAPHS (2) AND (3)** of this subsection,  
20 between 2 a.m. and 6 a.m. on any day, a person may not consume any alcoholic  
21 beverages on any premises open to the general public, any place of public  
22 accommodation, or any place at which setups or other component parts of mixed  
23 alcoholic drinks are sold, whether or not the premises or place is licensed for the sale  
24 of alcoholic beverages or has any other license if any form of entertainment, live or  
25 recorded, is offered at the place or on the premises.

26           (2) (i) This paragraph applies only on the inner perimeter of a  
27 rectangle bounded by 31st Street on the south, Greenmount Avenue on the east, 32nd  
28 Street on the north, and Barclay Street on the west.

29                   (ii) By regulation, the Board of License Commissioners may  
30 restrict the hours and days for the consumption of alcoholic beverages.

31           **(3) (I) THIS PARAGRAPH APPLIES ONLY TO A PREMISES:**

32                   **1. FOR WHICH A CLASS B BEER, WINE AND LIQUOR**  
33 **LICENSE OR CLASS B-D-7 LICENSE HAS BEEN ISSUED; AND**

1                                   **2. THAT HAS BEEN ISSUED AN ADULT**  
2 **ENTERTAINMENT PERMIT BY BALTIMORE CITY OR IS IN AN AREA IN BALTIMORE**  
3 **CITY BOUNDED:**

4                                   **A. ON THE NORTH BY EAST PLEASANT STREET,**  
5 **FROM NORTH CHARLES STREET TO THE FALLSWAY;**

6                                   **B. ON THE EAST BY THE FALLSWAY AND PRESIDENT**  
7 **STREET TO LANCASTER STREET;**

8                                   **C. ON THE WEST BY NORTH CHARLES STREET AND**  
9 **SOUTH CHARLES STREET; AND**

10                                   **D. ON THE SOUTH BY CROSS STREET, FROM SOUTH**  
11 **CHARLES STREET TO PIERSIDE DRIVE.**

12                                   **(II) ON FRIDAY, SATURDAY, AND SUNDAY, A PERSON MAY**  
13 **CONSUME ALCOHOLIC BEVERAGES ON THE PREMISES ONLY FROM 2 A.M. TO 4**  
14 **A.M.**

15                   SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
16 July 1, 2010.